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*App No. 30*

# Fax Cover Sheet

Date: 15 Dec 2003

To: Kevin A. Oliver, Esq.

From: Donald L. Champagne *Donald L. Champagne*

Application/Control Number: 09/282,764

Art Unit: 3622

Fax No.: 617-832-7000

Phone No.: 703-308-3331

Voice No.: 617-832-1241

Return Fax No.: 703-872-9326

Re: Atty. Docket GTE-99-808

CC:

☐ Urgent ☐ For Review ☐ For Comment ☐ For Reply ☒ Per Your Request

**Comments:**

You requested a copy of the last filing in this case by leaving a message on my voice mail this past Friday, 12 December 2003. Since you are not of record in this case, I requested and have today received your statement under 37 CFR 1.34(a), which is in order, and has been filed as Paper No. 29. I accordingly transmit herewith: the RCE and petition for extension of time filed on 1 Aug 2003 (two sheets total) and the after final amendment resubmitted by fax on 3 June 2003 (sheets 01/18 to 17/18 inclusive).

I believe this satisfies your request. Please advise me if it does not.

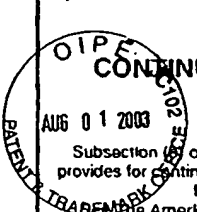
Number of pages 21 including this page

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RCE/262

 <p><b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b></p> <p>Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995. The American Inventors Protection Act of 1999 (AIPA)</p>	Application Number: 09 764
	Filing Date: 3/31/99
	First Named Inventor: Jay Michael Ponte
	Group Art Unit: 3622
	Examiner: D. Champagne
Attorney Docket Number: 99-808RCE1	
Attorney Customer Number: 32127	

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.63(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114:

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply after final under 37 C.F.R. § 1.116 previously filed on 4/22/03.

ii. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on [Date].

iii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed:

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement

iv. ☒ Other Petition for Extension of time

2. Miscellaneous

a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)

b. ☐ Other \_\_\_\_\_

3. Fees

a. ☒ The Director is hereby authorized to charge the following fees to Deposit Account No. 07-2339:

i. ☒ \$750.00 RCE fee required under 37 C.F.R. § 1.17(e)

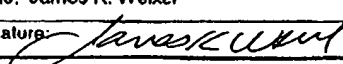
ii. ☒ Petition for extension of time

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed.

c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 07-2339.

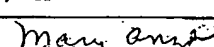
**RECEIVED  
AUG 04 2003  
GROUP 3600**

Signature of Applicant, Attorney, or Agent Required	
Name: James K. Weixel	Reg. No.: 44,399
Signature: 	Date: <u>7/28/2003</u>

Certificate of Mailing or Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name: Mary Anza

Signature: 	Date: <u>7/29/03</u>
--	----------------------

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Intellectual Property Law Department  
Tel: 781 466-4059  
Fax: 781 466-4021

Verizon Services Group  
40 Sylvan Road  
Waltham MA 02451-1128

## Fax Cover Sheet

DATE: 6/3/03	SUBJECT: USSN 09/282,764
TO: Examiner Champagne	FROM: James K. Weixel (by M.Anza)
PHONE: 703-308-3331	PHONE: (781) 466-2220 ✓
FAX: 703-872-9327	FAX: (781) 466-4021 ✓

Number of pages including cover sheet: 17

FAX RECEIVED

Re: USSN 09/282,764  
Atty. Docket No. 99-808RCE1  
Filed: 3/31/99  
Title: TARGETED BANNER ADVERTISEMENTS  
Inventors: Jay Ponte et al.

JUN 06 2003

GROUP 3600

Pursuant to Examiner Donald Champagne's conversation this date with Brian Ledell regarding the referenced patent application, I am attaching a copy of my After Final submission of April 22, 2003 and a copy of the postcard receipt for that submission, stamped April 28, 2003.

Please contact me at 781-466-2220 in the event of additional questions. We look forward to your review of the referenced amendment.

Thank you.

## CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9327 on the date shown below:

6/3/03  
Date

Mary Anza  
Mary Anza

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*In the event of transmission errors, please contact Mary Anza at (781) 466-4059*

Officia

**EXPEDITED PROCEDURE REQUESTED UNDER 37 CFR § 1.116**

Serial No.: 09/282,764

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)

I hereby certify that this Amendment is being deposited with the United States Postal Service on this date, 4/22/03, with sufficient postage as first class mail/priority mail addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Mary E. Anza

(typed or printed name of person mailing paper)

Mary E. Anza

(Signature of person mailing paper)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	) Customer No. 32127
Jay Ponte et al.	)
Serial No.: 09/282,764	) Group Art Unit: 3622
Filed: March 31, 1999	)
For: TARGETED BANNER	) Examiner: D. Champagne
ADVERTISEMENTS	)
	) Atty. Docket No. 99-808RCE1
	)

Box AF  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

**AMENDMENT AFTER FINAL**

In reply to the Final Office Action of February 26, 2003, and pursuant to 37 C.F.R. § 1.116, Applicants propose that this application be amended as follows:

## EXPEDITED PROCEDURE REQUESTED UNDER 37 CFR § 1.116

Serial No.: 09/282,764

10. (Twice Amended) The method of Claim 6, further including:

F<sub>3</sub>

ranking said documents in accordance with terms occurring in said user search query and terms occurring in said multiple categories of the first supercategory.

12. (Amended) The method of Claim 6, wherein said determining a

F<sub>4</sub>

first of said at least one supercategory in accordance with said user search query includes:

determining a geographic area that is a search term included in said user search query.

15. (Three Times Amended) A computer program product for displaying advertisements comprising:

machine executable code for determining at least one category as containing documents that may be retrieved;

F<sub>5</sub>

machine executable code for associating at least one supercategory with multiple categories by mapping the multiple categories to the at least one supercategory;

machine executable code for associating an advertisement with at least one of said supercategories;

machine executable code for determining at least one term associated with a user search query;

## EXPEDITED PROCEDURE REQUESTED UNDER 37 CFR § 1.116

Serial No.: 09/282,764

F<sub>8</sub>  
End

machine executable code for determining a geographic area that is a search term included in said user search query.

24. (Four Times Amended) An apparatus for displaying advertisements comprising:

means for defining at least one category as containing documents that may be retrieved;

means for associating at least one supercategory with multiple categories by mapping the categories to the at least one supercategory;

means for associating an advertisement with at least one of said supercategories;

means for determining at least one term associated with a user search query;

means for determining a first of said at least one supercategory based on at least one term of said user search query and said multiple categories of the at least one supercategory; and

means for displaying an advertisement associated with said first supercategory.

F<sub>9</sub>

25. (Amended) The <sup>computer program product</sup> ~~computer program product~~ of Claim 24, wherein

there is more than one supercategory and said first supercategory is a most relevant supercategory corresponding to said user search query, and said apparatus further includes:

F<sub>10</sub>DL  
12-13

**EXPEDITED PROCEDURE REQUESTED UNDER 37 CFR § 1.116**

Serial No.: 09/282,764

Kramer is directed to the modeling of consumer attributes for targeting content in a privacy preserving manner. According to Kramer, consumer profiles are developed and maintained with information reflecting the consumer's online and offline transactions. The attribute vectors of Kramer are disclosed in additional detail in Fig. 9 and at Column 21, line 62 through Column 24, line 35 of Kramer. These attribute vectors are not defined as containing documents that may be retrieved. In contrast, the attribute vectors are simply hierarchical vectors. Thus, Applicants submit that the attribute vector of Kramer clearly does not disclose or suggest the categories as defined in pending claim 6 (as amended).

Applicants submit that because Kramer does not disclose or suggest the categories recited in claim 6, Kramer further could not possibly disclose or suggest the "supercategory" recited in claim 6.

Amended claim 6 further recites determining at least one term associated with a user search query, determining a first of the at least one supercategory based on the at least one term of the user search query and the multiple categories of the at least one supercategory, and displaying an advertisement associated with the first supercategory. The Examiner addresses this portion of claim 6 in numbered paragraph six of the final Office Action. In particular, the Examiner appears to be equating the query of database 804 in Kramer with the claimed feature of "determining a first of the at least one supercategory based on the at least one term of the user search query." As recited in amended claim 6, however, the first of at least one supercategory is determined based on at least one term of a user search query. A user search query is not equivalent to the

**EXPEDITED PROCEDURE REQUESTED UNDER 37 CFR § 1.116***Serial No.: 09/282,764*

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejection and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that the claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.



**EXPEDITED PROCEDURE REQUESTED UNDER 37 CFR § 1.116**

Serial No.: 09/282,764

**VERSION WITH MARKINGS OF CLAIMS  
TO SHOW PROPOSED CHANGES**

6. (Three Times Amended) A method executed in a computer system for targeting advertisements comprising:

[associating] defining at least one category [with] as containing documents that may be retrieved [, said category including at least one term];

associating at least one supercategory with multiple categories by mapping the multiple categories to the at least one supercategory;

associating an advertisement with at least one of said supercategories;

determining at least one term associated with a [data] user search query;

determining a first of said at least one supercategory based on at least one term of said [data] user search query and said multiple categories of the at least one supercategory; and

displaying an advertisement associated with said first supercategory.

7. (Amended) The method of claim 6, wherein there is more than one supercategory and said first supercategory is a most relevant supercategory corresponding to said [data] user search query, and the method further including:

ranking said more than one supercategory to determine said first supercategory.

**EXPEDITED PROCEDURE REQUESTED UNDER 37 CFR § 1.116**

Serial No.: 09/282.764

machine executable code for determining a first of said at least one supercategory based on at least one term of said [data] user search query and said multiple categories of the at least one supercategory; and

machine executable code for displaying an advertisement associated with said first supercategory.

16. (Amended) The computer program product of Claim 15, wherein there is more than one supercategory and said first supercategory is a most relevant supercategory corresponding to said [data] user search query, and the computer program product further includes:

machine executable code for ranking said more than one supercategory to determine said first supercategory.

19. (Twice Amended) The computer program product of Claim 15, further including:

machine executable code for ranking said documents in accordance with terms occurring in said [data] user search query and terms occurring in said multiple categories of the first supercategory.

21. (Twice Amended) The computer program product of Claim 15, wherein said machine executable code for determining a first of said at least one supercategory in accordance with said [data] user search query includes:

**EXPEDITED PROCEDURE REQUESTED UNDER 37 CFR § 1.116**  
*Serial No.: 09/282,764*

means for ranking said more than one supercategory to determine said  
first supercategory.

**EXPEDITED PROCEDURE REQUESTED UNDER 37 CFR § 1.116**

Serial No.: 09/282,764

machine executable code for determining a geographic area that is a search term included in said [data] user search query.

24. (Four Times Amended) An apparatus for displaying advertisements comprising:

means for [associating] defining at least one category [with] as containing documents that may be retrieved [, said category including at least one term];


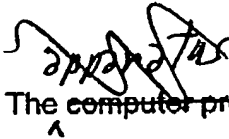
means for associating at least one supercategory with multiple categories<sup>1</sup> by mapping the categories to the at least one supercategory;

means for associating an advertisement with at least one of said supercategories;

means for determining at least one term associated with a [data] user search query;

means for determining a first of said at least one supercategory based on at least one term of said [data] user search query and said multiple categories of the at least one supercategory; and

means for displaying an advertisement associated with said first supercategory.

 25. (Amended)  The ~~computer program product~~<sup>1</sup> of Claim 24, wherein there is more than one supercategory and said first supercategory is a most relevant supercategory corresponding to said [data] user search query, and said apparatus further includes:

**EXPEDITED PROCEDURE REQUESTED UNDER 37 CFR § 1.116***Serial No.: 09/282,764*

10. (Twice Amended) The method of Claim 6, further including:  
ranking said documents in accordance with terms occurring in said [data]  
user search query and terms occurring in said multiple categories of the first  
supercategory.
12. (Amended) The method of Claim 6, wherein said determining a  
first of said at least one supercategory in accordance with said [data] user search  
query includes:  
determining a geographic area that is a search term included in said [data]  
user search query.
15. (Three Times Amended) A computer program product for displaying  
advertisements comprising:  
machine executable code for [associating] determining at least one  
category [with] as containing documents that may be retrieved[, said category  
including at least one term];  
machine executable code for associating at least one supercategory with  
multiple categories by mapping the multiple categories to the at least one  
supercategory;  
machine executable code for associating an advertisement with at least  
one of said supercategories;  
machine executable code for determining at least one term associated  
with a [data] user search query;

**EXPEDITED PROCEDURE REQUESTED UNDER 37 CFR § 1.116***Serial No.: 09/282,764*

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 07-2339 and please credit any excess fees to such deposit account.

Verizon Corporate Services Group Inc.

By: James K. Weixel  
James Weixel  
Reg. No. 44,399

Date: 4/21/2003

600 Hidden Ridge, HQE03H01  
Irving, Texas 75038  
781/466-2220

**EXPEDITED PROCEDURE REQUESTED UNDER 37 CFR § 1.116***Serial No.: 09/282,764*

query of database 804 disclosed by Kramer. According to Kramer, database 804 contains facts that are used to build an attribute vector by computing device 802. (Kramer, col. 20, lines 61-68). Accessing a database to build an attribute vector, as disclosed by Kramer, does not disclose or suggest determining a first of the at least one supercategory based on the at least one term of the user search query, as recited in claim 6. Kramer does not disclose using a user search query to access database 804, much less using a user search query to determine a supercategory.

For at least these reasons, Applicants submit that the rejection of claim 6 is improper and should be withdrawn.

Independent claims 15 and 24, as amended, recite features similar to those recited in claim 6, and therefore, based on similar rationale, the rejection of these claims should also be withdrawn. The rejection of dependent claims 7-14, 16-23, and 25, at least by virtue of their dependency on one of independent claims 6, 15, and 24, should also be withdrawn.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 6-25 in condition for allowance. Applicants submit that the proposed amendments of claims 6, 15, and 24 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

**EXPEDITED PROCEDURE REQUESTED UNDER 37 CFR § 1.116***Serial No.: 09/282,764*F, D  
End

means for ranking said more than one supercategory to determine said first supercategory.

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**REMARKS**

In the final Office Action of February 26, 2003, the Examiner maintained the previous rejection of claims 6-25 under 35 U.S.C. § 102(e) based on U.S. Patent No. 6,327,574 to Kramer et al. ("Kramer").

By this After Final Amendment, Applicants propose amending claims 6, 15, and 24 to more clearly define the features of the present invention. Support for these amendments can be found at, for example, pages 21 and 22 and Figs. 14 and 15 of the pending application. Dependent claims 7, 10, 12, 16, 19, 21, and 25 are also amended to conform to the changes in claims 6, 15, and 24.

In the final Office Action, the Examiner maintained the previous rejection based on Kramer. In particular, regarding claim 6, the Examiner states that Kramer teaches "associating at least one category (e.g., infant/preschool) with documents (candidate illuminations, col. 33 lines 8-13)." (Office Action, numbered paragraph 5). Thus, the Examiner appears to be equating the hierarchical attribute vectors, which encode attributes of a consumer, such as whether the consumer is an infant, with the category recited in claim 6. Applicants respectfully disagree with this characterization of Kramer.

Claim 6, as amended, recites, for example, "defining at least one category as containing documents that may be retrieved." The category recited in claim 6 is not disclosed or suggested by the hierarchical attribute vectors of Kramer.



**EXPEDITED PROCEDURE REQUESTED UNDER 37 CFR § 1.116**

Serial No.: 09/282,764

F<sub>5</sub>  
End

machine executable code for determining a first of said at least one supercategory based on at least one term of said user search query and said multiple categories of the at least one supercategory; and

machine executable code for displaying an advertisement associated with said first supercategory.

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16. (Amended) The computer program product of Claim 15, wherein there is more than one supercategory and said first supercategory is a most relevant supercategory corresponding to said user search query, and the computer program product further includes:

machine executable code for ranking said more than one supercategory to determine said first supercategory.

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F<sub>7</sub>

19. (Twice Amended) The computer program product of Claim 15, further including:

machine executable code for ranking said documents in accordance with terms occurring in said user search query and terms occurring in said multiple categories of the first supercategory.

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21. (Twice Amended) The computer program product of Claim 15, wherein said machine executable code for determining a first of said at least one supercategory in accordance with said user search query includes:

20/f

**EXPEDITED PROCEDURE REQUESTED UNDER 37 CFR § 1.116**

Serial No.: 09/282,764

**IN THE CLAIMS:**

Please amend claims 6, 7, 10, 12, 15, 16, 19, 21, 24, and 25 to the following:

---

6. (Three Times Amended) A method executed in a computer system for targeting advertisements comprising:

defining at least one category as containing documents that may be retrieved;

associating at least one supercategory with multiple categories by mapping the multiple categories to the at least one supercategory;

associating an advertisement with at least one of said supercategories;

determining at least one term associated with a user search query;

determining a first of said at least one supercategory based on at least one term of said user search query and said multiple categories of the at least one supercategory; and

displaying an advertisement associated with said first supercategory.

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7. (Amended) The method of claim 6, wherein there is more than one supercategory and said first supercategory is a most relevant supercategory corresponding to said user search query, and the method further including:

ranking said more than one supercategory to determine said first supercategory.

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RECEIVED IN THE U.S. PATENT & TRADEMARK OFFICE

In re. Patent Application of Jay Ponte et al., SN 09/282,764, filed 3/31/99 for  
TARGETED BANNER ADVERTISEMENTS consisting of:

AMENDMENT WITH CERTIFICATE OF MAILING & DEPOSIT ACCOUNT  
AUTHORIZATION (15 Pages); FORM PT0/SB/122 (1 Page).

99-808RCE1

JKW:ma

Date:

4/22/03



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JUN 06 2003

GROUP 3600

James K. Weixel  
Verizon Corporate Services Group Inc.  
40 Sylvan Rd., LA0MS31  
Waltham, MA 02451-1128



Official

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7/29/03

Date

Mary Anza  
Mary Anza

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer No.: 32127  
Jay Michael Ponte et al. :  
Appln. No. 09/282,764 : Examiner: D. Champagne  
Filing Date: 3/31/99 :  
For: TARGETED BANNER : Art Unit: 3622  
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Alexandria, VA 22313-1450

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2003  
300

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)**

Dear Sir:

Applicant hereby petitions for an extension of one month to respond to the Final Office Action mailed from the USPTO on February 26, 2003 and to an Advisory Action mailed from the USPTO on July 8, 2003, the first reply having been filed within two months of the Final Rejection. Because of the present extension, the time period for response will now expire on August 8, 2003.

Please charge Deposit Account No. 07-2339 in the amount of \$110.00, the fee for this extension; and charge any additional fees, and credit any overpayment, to Deposit Account 07-2339. A duplicate copy of this petition is enclosed.

Respectfully submitted,

James K. Weixel

James K. Weixel  
Attorney for Applicant(s)  
Registration No. 44,399

Date: 7/28/2003

Verizon Corporate Services Group Inc.  
600 Hidden Ridge, HQE03H01  
Irving, TX 75038  
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